

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7000

In Re: ARTHUR W. PRIVOTT, a/k/a Big Bud,

Petitioner.

On Petition for Writ of Mandamus
(CR-99-73; CA-99-73-2-BO)

Submitted: October 15, 2004

Decided: November 16, 2004

Before NIEMEYER, LUTTIG, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Arthur W. Privott, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Arthur W. Privott petitions for a writ of mandamus, alleging the district court has unduly delayed acting on our March 29, 2002 judgment that vacated and remanded its dismissal of his 28 U.S.C. § 2255 (2000) motion. Privott seeks an order from this Court directing the district court to act. Although we find that mandamus relief is not warranted because the district court has recently taken significant action in this case, we deny the mandamus petition without prejudice. We grant leave to proceed in forma pauperis. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED